

## **REMARKS/ARGUMENTS**

### **Examiner's Comment Regarding DeTitta as Enabling**

Examiner asserts that DeTitta adequately describes how one of ordinary skill in the art can make and use the plate imaging system. Applicant strongly disagrees. Nevertheless, in an effort to proceed forward with the prosecution of this application Applicant has amended all independent claims so that they should now be allowable over the cited prior art.

### **Independent Claim 1**

Applicant has amended Claim 1 so that it now includes the limitation:

... said at least one computer is programmed to classify said plurality of microscopic crystals by:

1. comparing said images to a database stored on said at least one computer, and
2. assigning a classification based on said comparison by:
  - a. making a determination as to whether a microscopic crystal exists,
  - b. making a choice from a plurality of options as to what is present if said microscopic crystal does not exist, and
  - c. making a determination as to the qualities of said microscopic crystal if said microscopic crystal does exist.

None of the prior art references shows the limitation of “making a choice *from a plurality of options* as to what is present if said microscopic crystal does not exist”. In rejecting Claim 29, Examiner states that DeTitta will indicate a “0” if nothing happened. In stark contrast, Applicant provides a plurality of options from which to choose. For example, as described in Applicant's Table 1 on page 17, the eight following choices are available if no crystal is found: “0” indicates clear, “1” indicates light precipitation, “2” indicates heavy precipitation, “3” indicates ugly precipitation, “4” indicates phase separation, “5” indicates unknown, “6” indicates Spherulites, and “7” indicates Grainy precipitation.

By providing a plurality of options from which to choose if a crystal does not exist, Applicant is providing a much clearer description of the subject being observed. Better, more accurately analysis can therefore be conducted.

Independent Claims 13, 30, 42 and 43 have also been amended to have limitations similar to the limitations in Claim 1. Therefore, Claims 13, 30, 42 and 43 should also be allowable. All other claims are dependent on the amended independent claims and should therefore likewise be allowable.

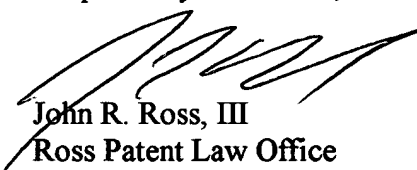
#### Claim Rejections

Examiner has rejected all Claims under 35 USC 102 and 35 USC 103. All claims should be allowable for the reasons stated above.

#### CONCLUSION

Thus, for all the reasons given above, this application, as the claims are presently limited, define a novel, patentable, and truly valuable invention. Hence allowance of this application is respectfully submitted to be proper and is respectfully solicited.

Respectfully Submitted,



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